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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Civil Case No. C 07-3908 JL

KLAMATH RIVERKEEPER, a project of
the Klamath Forest Alliance, a non-profit
public benefit corporation organized under
the laws of the State of California,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, STEPHEN L.
JOHNSON, as Administrator of the United
States Environmental Protection Agency,
WAYNE NASTRI, as Regional
Administrator of the United States
Environmental Protection Agency, Region 9,

Defendants.

**DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND
REQUEST FOR REASSIGNMENT
TO A UNITED STATES DISTRICT
COURT JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT COURT JUDGE

The undersigned counsel, on behalf of Defendants United States Environmental Protection Agency, Stephen L. Johnson, and Wayne Nastri, hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Court Judge.

Respectfully submitted,

Dated: August 22, 2007

SCOTT N. SCHOOLS
Acting United States Attorney

RONALD J. TENPAS
Acting Assistant Attorney General
Environment & Natural Resources Division

/s/ Rochelle L. Russell

ROCHELLE L. RUSSELL
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Counsel for Defendants EPA, Johnson, and Nastri

CERTIFICATE OF SERVICE

I certify that on August 22, 2007, a true and correct copy of the foregoing DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT COURT JUDGE was served electronically via the Court's e-filing system to Counsel of Record.

/s/ Rochelle L. Russell
ROCHELLE L. RUSSELL